

10/21/2003 03:53:07 PM

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2003 DRAFTING REQUEST**Bill**Received: **03/14/2003**Received By: **mlief**Wanted: **As time permits**

Identical to LRB:

For: **Amy Sue Vruwink (608) 266-8366**By/Representing: **john**This file may be shown to any legislator: **NO**Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Counties - miscellaneous
Courts - costs and fees**Extra Copies: **MES**Submit via email: **YES**Requester's email: **Rep.Vruwink@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Collection of fines and forfeitures by counties

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mlief 03/14/2003	kgilfoy 03/17/2003					S&L
/1			jfrantze 03/17/2003		sbasford 03/17/2003	lnorthro 10/21/2003	

10/21/2003 03:53:08 PM

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FE Sent For:

<END>

AA
in to.

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1?	mlief	1-3/14 Amy	3/17	3/17 pg			

FE Sent For:

<END>



State of Wisconsin
2003 - 2004 LEGISLATURE

2310
LRB-2000/1

MJL King

2003 BILL

1

AN ACT...; relating to: collection of fines and forfeitures by counties

violating

Analysis by the Legislative Reference Bureau

Under current law, if a circuit court imposes a fine or forfeiture on a person for violation of a state law or local ordinance, the clerk of circuit court collect the amount owed and pay that amount to the county treasurer. The county treasurer, in turn, pays 90% of the fine and forfeiture money to the state, but is permitted to retain 10% of the money as administrative fees.

This bill provides allows the county to retain 25% of fines and forfeitures that are not collected within 120 days of being imposed. If the county employs collection staff who work for more than one court.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2

SECTION 1. 59.25 (3) (j) of the statutes is amended to read:

3

59.25 (3) (j) Retain ^{25%} 10% for fees in receiving and paying into the state treasury

4

all money received by the treasurer for the state for fines and penalties ~~forfeitures~~

5

except that but retain 50% of the state forfeitures, and fines and penalties under chs.

6

341 to 347, 349 and 351 shall be retained as fees and retain 25% of the state

BILL**SECTION 1**

1 ~~forfeitures and fines that are not collected within 120 days of being imposed as fees~~
2 ~~if the county employs collection staff who work for more than one county, and retain~~
3 the other fees for receiving and paying money into the state treasury that are
4 prescribed by law.

History: 1995 a. 201 ss. 266, 267, 269, 270, 284; 1995 a. 225 ss. 151 to 153; 1995 a. 227 s. 202; 1995 a. 269 s. 2; 1995 a. 408 s. 1; 1995 a. 448 s. 60; 1997 a. 27, 35, 135, 211, 237, 248; 1999 a. 9, 32, 74; 1999 a. 150 s. 672; 2001 a. 16; 2001 a. 30 s. 108; 2001 a. 56, 105.

SECTION 2. Initial applicability.

6 (1) This act first applies to fines and forfeitures imposed on the effective date
7 of this subsection.

SECTION 3. Effective date.

9 (1) This act takes effect on the first day of the 4th month beginning after
10 publication.

11 (END)

3/14

Lonnie - Marc S
gave this back to
me - surprise. Don't
try to read & e-mails;
too confusing. Draft
a bill giving counties
25% of fines & forfeitures
under 59.25(3)(j). R.B.

collecting fines/forfeitures.

uest is: Cindy L. Joosten, Wood County clerk of Courts. ph.715-421-

11:09 AM

unties for collecting fines/forfeitures.

e drafted to address a problem Wood County, and other counties face.

f collecting fines and forfeitures. A great portion of the money collected
ty seeks assistance from the state to aid in the collection of these

not sure how this amount will be calculated. Perhaps you can make suggestions. This should cover salary
and benefits. All Counties should be able to benefit from this change in law.

Should you have questions, please call me at 266-8366.

Thank you for your assistance.

John G. Anderson
Office of Rep. Amy Sue Vruwink
70th District
608-266-8366

Shovers, Marc

From: Anderson, John
Sent: Thursday, February 27, 2003 11:58 AM
To: Shovers, Marc
Subject: RE: bill Draft Request: aid to counties for collecting fines/forfeitures.

marc, I just talked with our Clerk of Court. She agrees that it should be a percentage, but she is not sure how much yet. She will get back to me on that. In the meantime, can we move ahead with the drafting and insert a percentage later? Thank you.

John G. Anderson
Office of Rep. Amy Sue Vruwink
70th District
608-266-8366

-----Original Message-----

From: Shovers, Marc
Sent: Wednesday, February 12, 2003 3:26 PM
To: Anderson, John
Subject: RE: bill Draft Request: aid to counties for collecting fines/forfeitures.

Hi John:

I've talked to some of my colleagues about this request and one of them suggested that the representative may wish to consider merely requiring that a certain percentage of the amount collected by the county clerk or county clerk of circuit courts be retained by the counties before it is forwarded to the state treasurer. Apparently, when this issue has arisen in the past and it has been suggested that the state pay the salaries and benefits of the people who collect the fines and forfeitures, the state has resisted.

First, opponents of the proposal argued that some counties would inflate the number of people the counties claim are needed to collect the fines and forfeitures. Second, the state has claimed that there would be accounting difficulties in figuring out what percentage of the person's salary and benefits is paid by the state. Also, it just strikes me as unusual for the state to be paying the salary of elected county officials.

In any event, please let me know how Representative Vruwink would like the LRB to proceed on this request.

Marc

Marc E. Shovers

Senior Legislative Attorney
Legislative Reference Bureau
Phone: (608) 266-0129
Fax: (608) 264-8522
e-mail: marc.shovers@legis.state.wi.us

-----Original Message-----

From: Anderson, John
Sent: Tuesday, February 11, 2003 11:17 AM
To: Shovers, Marc

Barman, Mike

From: Anderson, John
Sent: Tuesday, October 21, 2003 12:57 PM
To: Barman, Mike
Subject: FW: Bill draft

Mike, please jacket LRB 2310 for Rep. Amy Sue Vruwink. Or, send me the necessary materials to have signed. Thank you.

John G. Anderson
Office of Rep. Amy Sue Vruwink
70th District
608-266-8366

-----Original Message-----

From: Lief, Madelon
Sent: Tuesday, October 21, 2003 12:55 PM
To: Anderson, John
Subject: RE: Bill draft

John --I'm sorry that I couldn't forward your request to our program assistants directly (they do the jacketing) because I don't have the LRB number handy, and since we draft so many bills, I can't recall which one it is. If you email Mike Barman or call 266-3561, they can jacket the bill for you.

Lonnie

-----Original Message-----

From: Anderson, John
Sent: Tuesday, October 21, 2003 12:13 PM
To: Lief, Madelon
Subject: RE: Bill draft

Thanks, Lonnie. We would like this jacketed for introduction.

Thank you.

John G. Anderson
Office of Rep. Amy Sue Vruwink
70th District
608-266-8366

-----Original Message-----

From: Lief, Madelon
Sent: Monday, October 20, 2003 10:08 AM
To: Anderson, John
Subject: Bill draft

<< File: 03-2310/1 >> John -- Here's the bill draft you requested. I checked the file, and it appears that you first contacted Marc Shovers and then spoke to Bob Nelson, who instructed me to prepare a bill draft that gave counties 25% of fees and forfeitures. This instruction was apparently based on conversations that you had with Bob.

Madelon (Lonnie) Lief
Senior Legislative Attorney
Legislative Reference Bureau
608-267-7380
madelon.lief@legis.state.wi.us